

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CLARENCE D JOHNSON JR.

Plaintiff,

V.

JOE BIDEN, et al.,

## Defendants.

CASE NO. C21-466 MJP

ORDER DECLINING TO SERVE  
COMPLAINT AND GRANTING  
LEAVE TO AMEND AND  
DENYING MOTION TO SEAL

Plaintiff has filed a civil complaint with this court. (Dkt. No. 7.) The Court, having reviewed the complaint and record, does hereby find and ORDER that the complaint is defective for the following reasons:

(1) Rule 8(a) of the Federal Rules of Civil Procedure provide that

A pleading which sets forth a claim for relief... shall contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends, unless the court already has jurisdiction to support it, (2) a short and plain statement of the claim showing that the pleader is entitled to relief, and (3) a demand for judgment for the relief the pleader seeks...

Fed. R. Civ. P. 8(a).

1 Plaintiff's complaint does not comply with any of the requirements set forth in Rule 8(a).  
2 If plaintiff wishes to proceed with this action, he must specifically identify the basis for this  
3 Court's jurisdiction. In addition, he must provide the Court with a statement of his claim,  
4 something which appears to be entirely absent from the complaint now before the Court, and he  
5 must provide a clear and concise demand for relief.

6 (2) Plaintiff may file an amended complaint curing the above-mentioned deficiencies  
7 within thirty days of the date on which this Order is signed. The amended complaint must be  
8 legible and must be sufficiently clear to produce a readable scanned image. In addition, the  
9 amended complaint must carry the same case number as this one. If no amended complaint is  
10 timely filed, the Court will recommend that this matter be dismissed under 28 U.S.C. §  
11 1915(e)(2)(B)(ii).

12 Plaintiff is advised that an amended pleading operates as a complete substitute for an  
13 original pleading. See Ferdik v. Bonzelet, 963 F.2d 1258, 1262 (9th Cir. 1992) (citing Hal Roach  
14 Studies, Inc. v. Richard Feiner & Co., Inc., 896 F.2d 1552, 1546 (9th Cir. 1990) (as amended),  
15 cert. denied, 506 U.S. 915 (1992)). Thus, if plaintiff chooses to file an amended complaint, the  
16 Court will not consider his original complaint.

17 (3) The Clerk is directed to send plaintiff the appropriate forms so that he may file an  
18 amended complaint. The Clerk is further directed to send copies of this Order, and of the General  
19 Order, to plaintiff.

20 Additionally, Plaintiff has filed a motion to seal. (Dkt. No. 2.) The Court has reviewed  
21 the motion, which states in full "Motion to Seal Documents from Public per federal [illegible  
22 word] code's federal courthouse Rules." (Dkt. No. 2.) The Court finds no legal or factual basis  
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1 on which to seal any of the materials filed provisionally under seal. The Court therefore DENIES  
2 the Motion and ORDERS the Clerk to unseal all materials provisionally filed under seal.

3 The clerk is ordered to provide copies of this order to all counsel.

4 Dated April 21, 2021.

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6 Marsha J. Pechman  
7 United States Senior District Judge

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